

MINUTES
SECURITY SERVICES LICENSING BOARD
June 8, 2006 - 9:00 A.M.
Room 210 - Fourth Floor - Heber Wells Building
160 East 300 South, Salt Lake City, Utah

Due to a lack of a quorum all decisions are only recommendations

CONVENED: 9:05

ADJOURNED: 3:15

PRESENT:

Clyde Ormond, Bureau Manager
Jacky Adams, Board Secretary

Board Members:

Jim Young Paul Roth
Clayton Merchant

ABSENT:

Marci McGregor Rick Hawkins
John McCoy

GUESTS:

Robert Anderton, PACSCO; Paul Adams, SOS Security;
Loraine Kapp, CBI Security; Craig Jackson, Division
Director; Debbi Meeks, Owner of Black Ops Security.

TOPICS FOR DISCUSSION:

DECISIONS AND RECOMMENDATIONS:

ADMINISTRATIVE BUSINESS:

Approve minutes

Due to a lack of a quorum the minutes from the last meeting on April 13, 2006 will be tabled until the next meeting on August 10, 2006.

HEARINGS/DISCIPLINARY:

APPOINTMENTS and NEW APPLICATIONS received since April 13, 2006 board meeting:

9:30 a.m. Eike, Matthew

Mr. Eike, met with the board for his scheduled probation interview. Mr. Ormond reviewed his MOU (Memorandum of Understanding). No Employer Report was submitted. He was taken to meet with Ms. Higgs to review his probation requirements. The Board determined he is in compliance with his MOU. He is scheduled to meet again with the Board on October 12, 2006, at 9:30 a.m.

10:00 a.m. Lamar, Jill

Ms. Lamar, met with the board for her scheduled probation interview. Mr. Ormond reviewed her MOU. A positive "Employer Report" was submitted from her supervisor James Valdez of CBI Security. The board determined she was in compliance with her MOU. She will meet with the board again on October 12, 2006 at 10:00 a.m.

10:30 a.m. DeAngelis, Mario

Mr. DeAngelis met with the board for his probation interview. He submitted proof of completion of his court

ordered "Domestic Violence Treatment Program" on December 9, 2005; his probation will be complete within 2 weeks. Mr. DeAngelis met with Ms. Higgs to review his probation requirements. The Board instructed him to have his employer complete and submit an employer report for this quarter, and for next prior to the next meeting. Mr. DeAngelis commented he would like to get this charge expunged. Mr. Ormond explained the procedure, and then informed him to submit the proof of the expungement, when complete. At that time the Board could consider an early release. Mr. DeAngelis will meet again with the Board on October 12, 2006, at 10:30 a.m.

10:45 a.m. Burkinshaw, Jeramy-
Mydatt Services Inc

Mr. Burkinshaw met with the board to review his application to become the new Qualifying Agent (QA) for Mydatt Services, Inc. Mr. Young asked if Mr. Burkinshaw had ever been a QA in the past, and what his current position was with this company. Mr. Burkinshaw stated he had been a QA for Chesley Brown International, Inc., and was currently working part time with Mydatt Services Inc, and part time for a Construction Company. Mr. Rothe seconded by Mr. Merchant, recommended to approve Mr. Burkinshaw as QA, contingent upon clear criminal history.

11:00 a.m. Zarogoza, Jared

Mr. Zarogoza, met with the board for his scheduled probation interview. Mr. Ormond explained Mr. Zarogoza has submitted an expungement order, on May 23, 2006. The Board could choose to release him from this probation, or leave him on probation; the charge is no longer part of his record, even though the conduct may still be an issue. Mr. Rothe asked how old the charge was. Mr. Zarogoza stated he was charged in June 2005. Mr. Rothe seconded by Mr. Merchant recommended releasing Mr. Zarogoza from this probation.

11:15 a.m. Kenison, Traci

Ms. Kenison, met with the board for her scheduled appointment, to review her application for licensure as an Armed Security Officer. Mr. Ormond reviewed her application stating; Ms. Kenison was terminated from her position as a Corrections Officer in October, 2002, for allowing an inmate to meet with his girlfriend while in his way to an in-patient alcohol treatment meeting. Ms. Kenison explained that she did do a "stupid thing". Mr. Ormond explained his concern was that her actions could have endangered the public. Mr. Young, commented he did not see any reason to issue this license. Mr. Merchant asked, Ms. Kenison if she was

aware prior to the incident, this was not allowed. She stated "Yes, I messed up, was not thinking." Mr. Ormond asked if she lost her POST Certification, again she stated "No". Mr. Merchant seconded by Mr. Rothe recommended issuing full licensure to her.

11:30 a.m. Robinson, Jeffrey

Mr. Robinson, met with the board to review his criminal history. Mr. Ormond reviewed his application explaining that, Mr. Robinson had originally submitted his application on October 6, 2005, however due to not answering appropriately on the Qualifying Questionnaire, his application was denied. He submitted a new application on April 26, 2006 with the appropriate answers to all questions. Mr. Robinson explained he is trying to get this charged expunged. Mr. Roth seconded by Mr. Merchant recommended denying this license, based on unprofessional conduct.

11:45 a.m. Bernal, Matthew
Black Ops Security Specialists

Mr. Bernal, and Ms. Meeks, appeared before the board for their scheduled appointment. Mr. Ormond reviewed the minutes from the last meeting. Mr. Cross was denied approval to be the QA, due of lack of qualifications. Mr. Ormond then reviewed Mr. Bernal's qualifications stating he was active duty Coast Guard, 3rd class Petty Officer from 2002-2005. Mr. Rothe asked what kind of supervision experience he had. Mr. Bernal, explained he was a US Marshall, and a Boarding Officer, who supervises the Boarding of Vessels, is the Lead Person in Searches, and was considered a Peace Officer while the vessel was on water with full arrest authority. Mr. Ormond questioned how many individuals did, Mr. Bernal supervise, he stated 15-20 personnel under him. Mr. Bernal continued stating as supervisor he was also did all training, discipline, risk assessment, law enforcement, and guarding dignitaries.

Mr. Bernal was scheduled to take the QA Exam on June 10, 2006. Mr. Rothe suggested postponing this to the next meeting, Mr. Merchant agreed, this gives Mr. Bernal time to pass the exam, and for a quorum to review this Company.

12:00 p.m. Terry, Lorin

Mr. Terry did not appear for his scheduled appointment. Mr. Ormond reviewed his application, explaining Mr. Terry was charged with Possession of a Controlled Substance with Intent to Distribute, a Third degree Felony, which was dismissed on February 20, 1995; Simple Assault, a class B Misdemeanor; and Driving Under the Influence, a Class B Misdemeanor, on September 8, 2002. Mr. Merchant, stated, if getting a

license was important he would have appeared or called, based on not appearing Mr. Merchant seconded Mr. Rothe recommended denying this license.

After further review by the Division it was determined to issue a Temporary Unarmed Security license to Mr. Terry, an Unarmed Security license will be issued contingent upon clear criminal history.

12:15 p.m. Weese, Brandon

Mr. Weese, met with the board to review his criminal history. Mr. Young reviewed his application and Fact Pattern; explaining Mr. Weese was charged with; Supplying Alcohol to a Minor, a Misdemeanor, on January 28, 2000; and Possession of Drug Paraphernalia, a Misdemeanor on February 10, 2006, which he is currently on probation for. Mr. Rothe asked Mr. Weese if he was currently working and if so with which company. Mr. Weese explained he is not currently working but Securitas has expressed an interest in hiring him. Mr. Rothe seconded by Mr. Merchant recommended denying this license based on the fact Mr. Weese is still on probation. Mr. Ormond explained when the probation is complete he can reapply.

12:30 p.m. LUNCH

1:15 p.m. Womble, Jess

Mr. Womble met with the board for his scheduled probation interview. Mr. Ormond reviewed his MOU, explaining Mr. Womble is scheduled to be released, from this probation on September 19, 2007. A positive "Employer Report" was received from his supervisor, BJ Jenson, from Securitas Security. Mr. Merchant seconded by Mr. Rothe recommended releasing Mr. Womble from this probation.

1:30 p.m. Bitton, Jeff

Mr. Bitton met with the board for his scheduled probation interview. Mr. Ormond reviewed his MOU. A positive "Employer Report" was received from supervisor, Tammy Campos of Securitas. He will soon be starting training as a supervisor. Mr. Bitton requested and early release from this probation. Mr. Rothe seconded by Mr. Merchant recommended an early release.

1:45 p.m. Jones, John
Inter-Con Security Systems,

Mr. Jones appeared for his scheduled appointment with the board to review his application to become the new QA for Inter-Con Security Systems. Mr. Ormond reviewed his qualifying experience explaining Mr. Jones was a Utah Highway Patrol Trooper, the Security Director at Pioneer Valley Hospital, and was in the

Navy. He has passed the appropriate QA Exam. Mr. Rothe seconded by Mr. Merchant recommended approving Mr. Jones as QA contingent upon clear criminal history.

2:00 p.m. Nielson, Ron
Galleon Armored Car & Security Inc

Mr. Nielson appeared for his scheduled appointment with the board to review his qualifications, as QA for Galleon Armored Car & Security Inc. Mr. Nielson is the President and Founder of this company. He has passed the appropriate QA Exam. Mr. Rothe seconded by Mr. Merchant recommended approving Mr. Jones as QA contingent upon clear criminal history.

DISCUSSION ITEMS:

Michael Paul Adams
New QA Exam

Mr. Adams met with the board to discuss his concerns with the New QA Exam; the Candidate Information Bulletin, outlines the Content and the References needed to study for the current exam; 1) The test sites are still giving the old exam on occasion. Mr. Adams felt, and the board agreed if the new exam has been approved it should be the only exam given, and no credit should be given for the old exam. Mr. Ormond commented it was not the candidates' fault if given the wrong exam, so they should not be penalized due to Thompson Prometric's errors. Mr. Adams stated he felt this was Discriminatory against those who took the correct exam. Mr. Ormond then mentioned reviewing all current QA's and requiring them retake the new exam. Mr. Young stated he felt this maybe an option to look into. However if any need to retake, there should not be a charge. 2) Each book cost about \$75.00. This seemed too expensive. Mr. Ormond explained that the exam and the texts were reviewed and approved by the board. He also stated a current copy of the Law and Rules could be obtained from our web site. Mr. Anderton then mentioned that PACSCO (Professional Alliance of Contract Security Companies) intends to purchase all of the books.

The Division will compile a list of all current QA's, which test they took, when they last took the exam, total number taken for each exam, and total number approved for licensure. Mr. Rothe recommended tabling this issue until the next meeting on August 10, 2006.

Utah Qualifier, Law and Rule
Exam Pass Rates

Reviewed – no action taken

Mr. Ormond reviewed the proposed rule changes, there will not be a hearing on this issue. The Proposed changes will:

- 1) Correct the Fine Schedule under R156-63-503 (1) to better reflect the appropriate statutes.
- 2) Adding a maximum fine amount under R156-63-503 (2)

Mr. Ormond then explained that the Armored Car Companies would be trying this legislature session to be redefined within the Contract Security License. Mr. Merchant confirmed this will attempted again. This needs take place because Armored Car Officers job duties, training, and use of force are very different from Contract Security. The statute, definitions, continuing education, and initial licensure training currently given does not cover all of the necessary topics.

R156-63-304 the continuing education section of the statute; was updated on January 10, 2006, to reflect an increase in the continuing education hours required by all Armed Security Officers. Mr. Ormond asked the attending Board members if they understood the changes and if they had any questions.

Hurwitz, Jason

Mr. Hurwitz did not appear at this meeting. Mr. Ormond reviewed his application, stating Mr. Hurwitz answered "Yes" to the appropriate "Qualifying Questionnaire" questions. The Superior Court of California, documents show he was charged with Possession of Marijuana, on March 19, 2004; to which he was found guilty, and sentenced to twelve months probation. Mr. Young asked if Mr. Hurwitz was required to undergo counseling. Mr. Ormond informed the board, he had not. Mr. Merchant seconded by Mr. Rothe recommended denying this licensed based on the nature of the charge.

After further review by the Division it was determined Mr. Hurwitz was not convicted of Possession of Marijuana. An Temporary Unarmed Security Officers license was issued.

Miner, Zachariah
Executive Protection

Mr. Miner appeared before the board to review his qualifications for Licensure as a Contract Security Company, QA. The board denied the previous QA Mr. Lovely, because of his job duties as a Salt Lake County Sheriff. Mr. Young asked Mr. Miner if he understood the duties of the QA, and how he planned running a company while holding another full-time job. Mr. Miner stated he did understand what a QA was, and what his

duties will entail. Mr. Miner planned on keeping this Company fairly small, i.e. Sundance Film Festival, Park City Festivals, or an occasional private party. Mr. Young then asked when he will have time to run this company, and how was he going to hire officers. Mr. Miner stated he would run the company on his time off, and all hiring would be done from within the Sheriffs Office.

Mr. Merchant explained to Mr. Miner that the board usually did not to approve licensure to companies who have a QA with outside interests, adding that being the QA is a full time job. Mr. Miner again stated he wished for this company to remain fairly small.

Mr. Rothe asked if the Officers were to be off-duty would they carry a firearm. Mr. Miner stated "No" they would all be unarmed. Mr. Rothe countered that he knows very few Peace Officers who, when off-duty do not still carry a firearm. Mr. Miner restated that all Officers would be unarmed.

Mr. Rothe commented he felt allowing Mr. Miner to become the QA would be a Conflict of Interest. Mr. Young agreed. Mr. Ormond suggested issuing the Company an MOU allowing the company to go to work, but if a conflict of interest arose Mr. Miner would need to be replaced at that time.

A review of all applications reviewed by the board for the past three years, will be submitted to the Board to determine the number of QA's who currently hold an outside job. This issue will be tabled until the next meeting on August 10, 2006 for further review.

NEXT MEETING:

August 10, 2006

DATE APPROVED

CHAIRPERSON, CONTRACT SECURITY
SERVICES

DATE APPROVED

BUREAU MANAGER, DIVISION OF
OCCUPATIONAL & PROFESSIONAL
LICENSING